

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

T.C. and A.C., parents and next friends
of W.B., a minor child,

Plaintiffs,

V.

CHATTANOOGA PUBLIC
SCHOOL DISTRICT, *et al.*,

Defendants.

Case No. CIV-24-1303-D

ORDER

Before the Court are the following motions to dismiss: (1) Defendant Minor Student 2's Partial Motion to Dismiss for Failure to State a Claim [Doc. No. 13]; (2) Defendant "Minor Student 1's" Motion to Dismiss [Doc. No. 23]; and (3) Motion to Dismiss of Defendant Independent School District No. 32 of Comanche County & Brief in Support [Doc. No. 25]. The motions challenge the sufficiency of Plaintiffs' original Complaint [Doc. No. 1].

In response to the motions, and after receiving an extension of time from the Court, Plaintiffs have timely filed an amended pleading as authorized by Fed. R. Civ. P. 15(a)(1)(B). This amendment “supersedes the original and renders it of no legal effect.” *Davis v. TXO Prod. Corp.*, 929 F.2d 1515, 1517 (10th Cir. 1991) (internal quotation omitted); *see also Predator Int’l, Inc. v. Gamo Outdoor USA, Inc.*, 793 F.3d 1177, 1180-81 (10th Cir. 2015). Therefore, the above-referenced motions to dismiss are moot.

IT IS THEREFORE ORDERED that (1) Defendant Minor Student 2's Partial Motion to Dismiss for Failure to State a Claim [Doc. No. 13]; (2) Defendant "Minor Student 1's" Motion to Dismiss [Doc. No. 23]; and (3) Motion to Dismiss of Defendant Independent School District No. 32 of Comanche County & Brief in Support [Doc. No. 25] are **DENIED** without prejudice to resubmission, if appropriate, in response to Plaintiffs' Amended Complaint [Doc. No. 38].

IT IS SO ORDERED this 5th day of May, 2025.



TIMOTHY D. DeGIUSTI
Chief United States District Judge